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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,269	04/25/2002	Michael Latarnik	AP9627	6044

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EXAMINER

SY, MARIANO ONG

ART UNIT	PAPER NUMBER
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3683

DATE MAILED: 06/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/018,269

Applicant(s)

LATARNIK ET AL.

Examiner

Mariano Sy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 13-23 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3-1/2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. The disclosure is objected to because of the following informalities:

page 3 before last paragraph "An object of present ---- by independent force.", insert

--SUMMARY OF THE INVENTION--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 13 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim 13, lines 8-10 recited "such that the brake pressure demand in the following wheel brake circuit is adjusted before adjusting the brake pressure demand in the leading brake circuit" was not disclosed in the specification.

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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5. Claims 13-23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 13 recites the limitation "the higher brake pressure demand" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 13 recites the limitation "the lower brake pressure demand" in line 6. There is insufficient antecedent basis for this limitation in the claim.

Claim 13 recites the limitation "the brake pressure demand" in lines 8-9 and lines 9-10. It is unclear if applicant is referring to the "higher" or "lower" brake pressure demand.

Claim 13 recites the limitation "the following wheel brake circuit" in line 9. There is insufficient antecedent basis for this limitation in the claim.

Claim 14 recites the limitation "the pressure fluid pump" in lines 3-4. There is insufficient antecedent basis for this limitation in the claim.

Claim 14 recites the limitation "the brake circuit portion" in line 4. It is unclear if applicant is referring to "leading or "following" brake circuit portion.

Claim 15 recites the limitation "the leading wheel brake circuit portion" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

Claim 15 recites the limitation "the leading and following wheel brake circuit portion" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 15 recites the limitation "the pressure fluid pump" in line 3. There is insufficient antecedent basis for this limitation in the claim.

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Claim 16 recites "in claim 16" in line 1. It is unclear if applicant is referring to --in claim 13--.

Claim 16 recites the limitation "the leading wheel brake circuit" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 16 recites the limitation "the outlet valves" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 16 recites the limitation "the leading and following wheel brake circuit" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 17 recites the limitation "the following wheel brake circuit portion" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 18 recites the limitation "the leading wheel brake circuit" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim.

Claim 19 recites the limitation "the pressure fluid source" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 19 recites the limitation "the separating valve" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 22 recites the limitation "the pressure fluid pump" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 22 recites the limitation "the pressure controller" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim.

Claim 23 recites the limitation "the pressure fluid pump" in line 1. There is insufficient antecedent basis for this limitation in the claim.

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Claim 23 recites the limitation "the energy supply" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 23 recites the limitation "the rotational speed" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 23 recites the limitation "the conveying capacity" in line 3. There is insufficient antecedent basis for this limitation in the claim.

These are some of the instances of Rejection under 35 U.S.C. 112, 2ND Paragraph, applicant is requested to correct any errors that can be found in the claims.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mariano Sy whose telephone number is 703-308-3427. The examiner can normally be reached on Mon.-Fri. from 9:00 A.M. to 3:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Lavinder, can be reached on (703) 308-3421. The fax phone number for the organization where this application or proceeding is assigned is 703-305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

 M. Sy

June 23, 2003


JACK LAVINDER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600